

1 [Requirement that firearms located within a residence be kept in a locked container or secured
2 with a trigger lock]

3 **Ordinance amending the San Francisco Police Code by adding Section 4512 to require**
4 **that all handguns located within a residence be kept in a locked container or disabled**
5 **with a trigger lock.**

6 Note: Additions are single-underline italics Times New Roman;
7 deletions are ~~strikethrough italics Times New Roman~~.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The San Francisco Police Code is hereby amended by adding
11 Section 4512, to read as follows:

12 **SEC. 4512. HANDGUNS LOCATED IN A RESIDENCE TO BE KEPT IN A LOCKED**
13 **CONTAINER OR DISABLED WITH A TRIGGER LOCK.**

14 (a) **Prohibition.** No person shall keep a handgun within a residence owned or controlled by
15 that person that is under the person's custody or control unless the handgun is stored in a locked
16 container or disabled with a trigger lock that has been approved by the California Department of
17 Justice.

18 (b) **Definitions.**

19 (1) "Residence." As used in this Section, "residence" is any structure intended or used for
20 human habitation including but not limited to houses, condominiums, rooms, in law units, motels,
21 hotels, SRO's, time-shares, recreational and other vehicles where human habitation occurs.

22 (2) "Locked container." As used in this Section, "locked container" means a secure container
23 which is fully enclosed and locked by a padlock, key lock, combination lock or similar locking device.

24 (3) "Handgun." As used in this Section, "handgun" means any pistol, revolver, or other firearm
25 that is capable of being concealed upon the person, designed to be used as a weapon, capable of

1 expelling a projectile by the force of any explosion or other form of combustion, and has a barrel less
2 than 16 inches in length.

3 (4) "Trigger lock." As used in this Section, a "trigger lock" means a trigger lock that is listed
4 in the California Department of Justice's list of approved firearms safety devices and that is identified
5 as appropriate for that handgun by reference to either the manufacturer and model of the handgun or
6 to the physical characteristics of the handgun that match those listed on the roster for use with the
7 device under Penal Code Section 12088 (d).

8 (c) **Exceptions.** This Section shall not apply in the following circumstances:

9 (1) The handgun is carried on the person of an individual over the age of 18.


10 (2) The handgun is ~~under the control in the possession~~ of a person who is a peace officer
11 under Penal Code Section 830.

12 (d) **Lost or Stolen Handguns.** In order to encourage reports to law enforcement agencies of
13 lost or stolen handguns pursuant to San Francisco Police Code Section 616, a person who files a
14 report with a law enforcement agency notifying the agency that a handgun has been lost or stolen shall
15 not be subject to prosecution for violation of Section 4512(a) above.

16 (e) **Penalty.** Every violation of this Section shall constitute a misdemeanor and upon
17 conviction shall be punished by a fine not to exceed \$1,000 or by imprisonment in the county jail not to
18 exceed six months, or by both.

19 (f) **Severability.** If any provision, clause or word of this chapter or the application thereof to
20 any person or circumstance is held invalid, such invalidity shall not affect any other provision, clause,
21 word or application of this Section which can be given effect without the invalid provision, clause or
22 word, and to this end the provisions of this Section are declared to be severable.

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3 By: 
4 LINDA M. ROSS
Deputy City Attorney

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MAYOR, DISTRICT ATTORNEY, SUPERVISORS MAXWELL, MIRKARIMI
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070683

Date Passed:

Ordinance amending the San Francisco Police Code by adding Section 4512 to require that all handguns located within a residence be kept in a locked container or disabled with a trigger lock.

July 17, 2007 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

July 17, 2007 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval

Noes: 3 - Daly, Jew, Peskin

July 24, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval

Noes: 3 - Daly, Jew, Peskin

File No. 070683

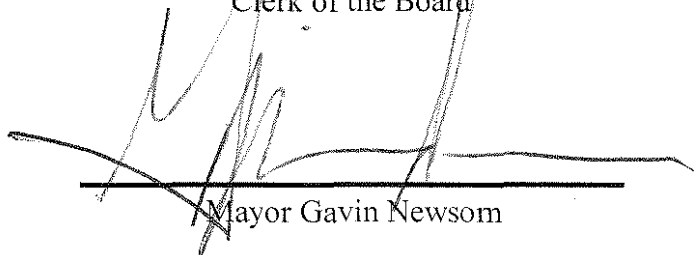
I hereby certify that the foregoing Ordinance was FINALLY PASSED on July 24, 2007 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



Date Approved



Mayor Gavin Newsom